

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MARQUIS JET PARTNERS, INC.,

Plaintiff,

-v-

BOMBARDIER AEROSPACE CORPORATION
(d/b/a FLEXJET) and JET SOLUTIONS, L.L.C.

Defendants.

Case No. 1:07-CV-06082 (BSJ)
ECF CASE

NOTICE OF MOTION

In accordance with the first-to-file rule and upon Defendants' Memorandum in Support of its Motion For A Stay And, Pending Determinative Rulings In A Related Action, To Dismiss and the Declaration of Todd R. Geremia, dated July 17, 2007, Defendants Bombardier Aerospace Corporation and Jet Solutions, L.L.C., hereby move this Court for an Order to (i) stay the instant action pending a determination by the U.S. District Court for the Northern District of Texas, in a related and earlier-filed action, as to the proper venue for resolving the parties' dispute, and (ii) dismiss this action pursuant to Fed. R. Civ. P. 12(b)(3) or transfer it to the Northern District of Texas in the event that the Northern District of Texas determines that the parties' dispute should be resolved in that venue.

Dated: July 17, 2007
New York, New York

Respectfully submitted,

JONES DAY

By: / s / Todd R. Geremia

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CERTIFICATE OF SERVICE

On July 17, 2007, the foregoing DEFENDANTS' NOTICE OF MOTION FOR A STAY AND, PENDING DETERMINATIVE RULINGS IN A RELATED ACTION, TO DISMISS was served on the following counsel for plaintiff through the Court's CM/ECF system:

Paul C. Llewellyn
Christopher D. Baker
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New York, New York 10022

*Attorneys for Plaintiff,
Marquis Jet Partners, Inc.*

Dated: New York, New York
July 17, 2007

/ s / Todd R. Geremia
Todd R. Geremia